

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF IOWA

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| IN RE:<br><br>BDC Group Inc.,<br><br>Debtor-in-Possession. | Chapter 11<br><br>Bankruptcy No. 23-00484<br><br><b>DEBTOR'S MOTION FOR<br/>CONDITIONAL APPROVAL OF<br/>THE DISCLOSURE STATEMENT<br/>AND TO COMBINE HEARINGS ON<br/>FINAL APPROVAL OF THE<br/>DISCLOSURE STATEMENT AND<br/>CONFIRMATION OF THE<br/>PROPOSED CHAPTER 11<br/>REORGANIZATION PLAN</b> |
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COMES NOW the Debtor-in-Possession, BDC Group Inc., through its undersigned counsel, and hereby respectfully submits the instant Motion for Conditional Approval of the Disclosure Statement and to Combine Hearings on Final Approval of the Disclosure Statement and Confirmation of the Proposed Chapter 11 Reorganization Plan (“Motion”). Debtor requests this Court enter an order approving Debtor’s Motion, stating the following in support:

1. On June 13, 2023, the Debtor-in-Possession filed a petition for relief under Chapter 11 of title 11 of the United States Code (the “Bankruptcy Code”).
2. Under Section 105(d) of the Bankruptcy Code, the Court is authorized to issue orders to ensure “the case is handled expeditiously and economically.” 11 U.S.C. § 105(d)(2).

3. The Court is permitted to enter an order that “provides that the hearing on approval of the disclosure statement may be combined with the hearing on Confirmation of the plan.” *See 11 U.S.C. § 105(d)(2)((B)(vi).*
4. In addition, Bankruptcy Code Section 1125(f)(3)(C) provides that the hearing on the disclosure statement may be combined with the hearing on the confirmation of a plan.
5. Contemporaneously with the filing of this Motion, the Debtor filed its Plan of Reorganization (“Plan”) and Disclosure Statement dated October 17, 2023 (Docs. 246 & 247).
6. The Debtor asserts that conditional approval of its Disclosure Statement and the combination of the hearings on final approval of the Disclosure Statement and confirmation of the Plan are appropriate and in the best interest of creditors and parties in interest in the bankruptcy case.
7. The Disclosure Statement and Plan are the products of substantial work. The Debtor is informed and believes that it has prepared a thorough Disclosure Statement; in addition, the Debtor is willing to provide such other information as may be reasonably requested by a creditor or party in interest relating to the Plan.
8. Counsel for the Debtor-in-Possession has not spoken with the Office of the United States Trustee and does not know its position on this motion.
9. Counsel for the Debtor-in-Possession has not spoken with counsel for the Unsecured Creditors Committee regarding this motion and does not know its position

on this motion.

10. The Debtor asserts that conditional approval of the Disclosure Statement and combining the hearings on final approval of the Disclosure Statement and confirmation of the Plan will serve to shorten the confirmation process and accelerate the timetable for commencement of payments to creditors under the Plan. Moreover, the combination of the hearings will reduce the administrative expenses of the estate.

WHEREFORE, the Debtor respectfully requests the Court enter an order:

- A) Granting the Debtor's Motion;
- B) Conditionally approve the Disclosure Statement;
- C) Combine and set the hearing on final approval of the Disclosure Statement and confirmation of the Plan;
- D) For such other and further relief as the court may find just and equitable under the circumstances.

Dated this 17th day of October, 2023.

Respectfully submitted,

AG & BUSINESS LEGAL STRATEGIES

/s/ Joseph A. Peiffer

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ATTORNEY FOR DEBTOR-IN-POSSESSION

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 17th day of October, 2023, a copy of the foregoing document was filed with the Clerk of Court for the United States Bankruptcy Court for the Northern District of Iowa using the CM/ECF system, and served electronically on those participants that receive service through the CM/ECF system.

Signed: /s/ Leah M. Watson